



Entered on Docket
October 07, 2011

A handwritten signature in black ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Setting Status Hearing Re
Objection to Proof of Claim
by Mark Fanelli**

Status Hearing: **November 15, 2011**
Time: **9:30 a.m.**
Estimated Time for Hearing: **10 minutes**

At a hearing on August 30, 2011, the Court considered the First Omnibus Objection of USACM Trust To Proofs Of Claim Based Entirely Upon Investment In The Del Valle Livingston Loan [DE 8533] and the informal response filed by Mark Fanelli. Counsel for the Trust appeared before the Court on August 30, 2011, but Mr. Fanelli did not. The Court being fully informed,

IT IS ORDERED:

1. Setting a status conference re objection to allowance of proof of claim No. 10725-01380 by Mark Fanelli [DE 8533] for **November 15, 2011 at 9:30 a.m.** at the U.S. Bankruptcy Court, 300 Las Vegas Boulevard South; Courtroom # 1, Las Vegas, NV 89101;

2. Mr. Fanelli's failure to appear at the hearing may be deemed a withdrawal of his response and, consequently, the Court would sustain the USACM Liquidating Trust's objection without further proceedings, meaning that Mr. Fanelli's claim would be disallowed;

3. Mr. Fanelli may appear telephonically at the status conference on November 15, 2011 by sending a written request to the Honorable Linda B. Riegle, U.S. Bankruptcy Court; 300 Las Vegas Boulevard South; Las Vegas, NV 89101. Mr. Fanelli can also send a facsimile of his request to 702-527-7015. The written request must be received by the Court on or before **November 8, 2011** or it will be denied without good cause shown for failing to timely request permission to appear telephonically; and

4. Once the Court grants Mr. Fanelli's permission to appear telephonically, he should contact CourtCall at least 48 hours prior to the hearing by telephone at 1-888-882-6878, or by facsimile at 888-883-2946, to make arrangements for the telephonic appearance. CourtCall will require Mr. Fanelli to provide the Court location, Judge's name, case name, case number, and date and time of the hearing. CourtCall charges are to be paid by claimant.

1 PREPARED AND RESPECTFULLY SUBMITTED BY:

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3 **LEWIS AND ROCA LLP**

4 By /s/ John Hinderaker

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